

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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GERARD F. SCOTT

Plaintiff,

v.

STACY PAINTER, et. al,

Defendants.  
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CASE NO. 1:11-CV-1657

ORDER

[Resolving Doc. No. [8](#).]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Plaintiff Gerard F. Scott moves, under Federal Rule of Civil Procedure 12(f), to strike the Defendants' answer as unresponsive. [Doc. [8](#).] The Defendants oppose this motion. [Doc. [12](#).]

On August 9, 2011, Plaintiff Scott filed a complaint against the Defendants Stacy Painter, Ronald Niemann, Dave Eschweiler, and the City of Bedford. The Plaintiff alleges violations of the Plaintiff's Fourth Amendment rights and false arrest. [Doc. [1](#).] The Defendants filed an answer on September 7, 2011. [Doc. [7](#).]

Under Rule 12(f), "The court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter." [Fed. R. Civ. P. 12\(f\)](#). Motions to strike, however, are disfavored, and "the motion to strike should be granted only when the pleading to be stricken has no possible relation to the controversy." [Brown & Williamson Tobacco Corp. v. U.S., 201 F.2d 819, 822 \(6th Cir. 1953\)](#). Moreover, Rule 8(b)(1) requires only that "in responding to a

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pleading, a party must . . . state in short and plain terms its defenses to each claim asserted against it.” [Fed. R. Civ. P. 8\(b\)](#). The Defendants’ answer states an admission, denial, or lack of knowledge to each paragraph of the complaint.

This Court finds that the Defendants’ answer sufficiently responds to the Plaintiff’s complaint. Therefore, the Court **DENIES** the Plaintiff’s motion to strike the Defendants’ answer.

IT IS SO ORDERED.

Dated: September 23, 2010

s/ *James S. Gwin*  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE